IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION St.NO.31812 OF 2004
IN
FIRST APPEAL NO.879 OF 2004

| Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders | Court's or Judge's Orders |
|---|---|

Ms.Asha Bhambhani for applicants
Mr.S.B.Shetye for respondents

CORAM : P.V.KAKADE,J.

DATE : 16TH DECEMBER, 2004

P.C.:

NOT ON BOARD

1. Heard both sides. Perused the record.

2. In view of the facts and circumstances the application is made absolute in terms of prayer clauses (a) and (b). The earlier operaetive Order dated 29th October,

2004 passed in First Appeal No.879 of 2004 stands recalled and is substituted by contents as follows :

. The applicant will deposit 50% of the decretal amount within the period as directed earlier, which the respondent will withdraw on filing an undertaking in this Court that in the event the appeal is allowed the amount will be paid back. As far as the remaining 50% amount is concerned, the Managing Director or a Senior Officer or an authorised signatory of the Applicant Corporation will file an undertaking that the amount will be paid in the even the appeal is dismissed.

4. The Civil application stands granted in the above terms.

5. Parties to act on a copy of this

order duly authenticated.